REMARKS/ARGUMENTS

Claims 11, 58, and 74-81 are pending and under consideration. Support for claim amendments is provided at *e.g.*, p. 36, line 31 to p. 43, line25. No amendment should be construed as acquiescence in the rejection. Applicant responds to the Examiner's comments using the paragraph numbering of the office action.

¶8. The phrase "therapeutically treat the disease" is intended simply to indicate that administering the recited antibodies achieves the goal stated in the preamble of the claim. The claim has been amended for improved clarity.

¶¶9-34. Claims 11 and 74-77 stand rejected under 35 U.S.C. § 112, first paragraph for alleged lack of enablement. The Examiner acknowledges that the specification is enabling for a chimeric or humanized antibody or fragment thereof that specifically binds synuclein-NAC and a chimeric or humanized antibody or antibody fragment thereof that specifically binds to an epitope within residues of 1-28 of Aβ. However, the Examiner alleges that the specification is not enabling for other types of antibodies, such as mouse antibodies due to potential problems with immunogenicity. The Examiner also alleges that the specification is not enabling for antibodies binding to epitopes other than within residues 1-28 of the Aβ in view of remarks in the specification and in Solomon (2002) that only antibodies targeting residues 1-28 have capacity to solubility existing aggregates or inhibit aggregation.

In response, applicant has amended the claims largely in accordance with the subject matter that the Examiner agrees is enabled. The amended claims also include human antibodies as well as chimeric or humanized antibodies. It is well-known that human antibodies show similar lack of immunogenicity to humanized antibodies. These antibodies should therefore be enabled as well by the Examiner's criterion.

The amendment is for purposes of expediting prosecution only. That applicant does not comment on everything the Examiner has said should not be construed as agreement with it. Applicant does note for the record that although mouse antibodies are sometimes

associated with human anti-mouse responses, these responses are neither so universal or severe as to have precluded FDA approval of some mouse antibodies. Further, even assuming arguendo, the Examiner is correct that only antibodies binding within residues 1-28 effect clearing of aggregates or inhibit aggregation, this does not preclude antibodies to other regions exerting activity by other mechanisms, such as binding to soluble Aβ in the circulation and thereby perturbing equilibrium of soluble and aggregated Aβ in the brain. These issues may be revisited if additional claims are pursued in a continuation or divisional application.

¶¶35-41. Claims 11 and 58 are rejected for alleged lack of written description. The Examiner suggests that the specification must disclose a particular epitope specificity. The Examiner cites *Noelle v. Lederman* as holding that an antibody can be characterized by its binding affinity to a well-characterized antigen. This rejection is respectfully traversed particularly as applied to the amended claims.

As *Vas Cath* makes clear, the relevant inquiry for written description is whether applicant was in possession of "whatever is now claimed." Here, what is now claimed are methods employing antibodies to a well-characterized antigen, in this case residues 1-28 of Aβ or the NAC segment of alpha-synuclein. Under Example 6 of the *Synopsis of Application of Written Description Guidelines* and *Noelle v. Lederman* (cited by the Examiner), an antibody can be described by reference to a well-characterized antigen to which it binds. Thus, reference to Aβ also serves to provide written description of antibodies binding within residues 1-28 of Aβ (or to within residues 1-28 thereof, as in the amended claim). Likewise, reference to alpha-synuclein-NAC provides written description for antibodies to the NAC segment of alpha-synuclein. Withdrawal of the rejection is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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